

Appln. No.: 10/690,377
Amendment Dated December 7, 2005
Reply to Office Action of September 7, 2005

NSG-209US1

Amendments to the Drawings:

The attached sheets of drawings include changes to Figures 1 and 12. These sheets replace the original sheets.

Attachment

Remarks/Arguments:

The title was objected to as not being descriptive. This ground for objection is overcome by amending the title to IMAGE READING APPARATUS HAVING ADJUSTABLE CONTACT SENSOR DISTANCE. With this amendment, the title is no longer subject to objection.

Figures 1 and 12 of the drawings were objected to because they did not include the legend "Prior Art." This legend is included on the replacement sheets submitted herewith, accordingly, these drawing figures are no longer subject to objection.

Claims 1-5 are pending in the above-identified application. Applicants gratefully acknowledge the indication in the Office Action that claims 1 and 2 are allowed.

Claim 2 was objected to as including an informality. This claim is amended as suggested in the Office Action and, so, is no longer subject to objection.

Claims 3 and 5 were rejected under 35 U.S.C. § 102(e) as being anticipated by Sheng. This ground for rejection is overcome by the amendment to claim 3. In particular, Sheng does not disclose or suggest, "a lifting mechanism between said guide rail and the contact image sensor unit the lifting mechanism being configured to change the distance between the guide rail and the contact image sensor unit to maintain a resolution of the image." As required by amended claim 3. Basis for this amendment may be found in the specification at page 16, line 25 through page 22, line 14.

Sheng concerns a flat-bed image scanner which includes a spring 4 that presses lubricating strips 3a and 3b against a glass window 5a in order to maintain a constant distance between the contact image sensor 1 and the glass window. (See col. 2, line 39 through col. 3, line 17). Sheng does not disclose or suggest any mechanism for changing the distance between the guide rail and the contact image sensor unit to maintain a resolution of the image, as required by amended claim 3. This feature of the invention is neither disclosed nor suggested by Sheng.

The advantage of this aspect of the invention is described in the specification at page 17, lines 4-25 and in Figs. 2A through 2C. As shown in these figures, there may be a separation

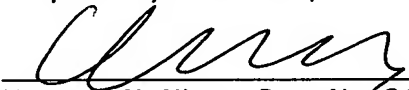
between the document being scanned and the surface of the glass. In this case, the subject invention, as defined by claim 3, adjusts the position of the contact image sensor unit to maintain a constant distance between the sensor unit and the document and, thus, maintain the resolution of the scanned image.

Accordingly, claim 3 is not subject to rejection under 35 U.S.C. § 102(e) in view of Sheng. Claim 5 was rejected because the Examiner asserted that Sheng discloses that the distance from the original surface of the light transmitting original to the contact image sensor unit is stepwise adjusted. Applicants respectfully disagree with this assertion. Sheng does not disclose or suggest any stepwise adjustment. Instead, Sheng discloses that the contact sensor is held a constant distance from the glass plate by the action of the spring and lubricating members.

Furthermore, claim 5 depends from claims 1 and 3 and, so, is not subject to rejection under 35 U.S.C. § 102(e) for at least the same reasons as those claims.

In view of the foregoing amendments and remarks, Applicants request that the Examiner reconsider and withdraw the objection to claim 2 and the rejection of claims 1 and 3.

Respectfully submitted,



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KNN/pb


Attachments: Figures 1 and 12 (2 sheets)

Dated: December 7, 2005

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